IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 621 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

THAKOR BHAGVANDAS KARSHANDAS

Versus

MULCHANDBHAI GANPATRAY JAYSWAL

Appearance:

MR AM DAGLI for MR YOGESH S LAKHANI for Petitioners

MS TRUSHA K PATEL for Respondent Nos. 1, 2

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 16/06/2001

ORAL JUDGEMENT

1. Heard learned advocate Mr.A.M.Dagli for Mr.Y.S.Lakhani on behalf of the petitioners and learned advocate Ms.Trusha K. Patel for respondents who has appeared for caveator.

2. The petitioners have challenged the order passed by the Assistant Judge, Ahmedabad (Rural), Gandhinagar dated 2/5/2001 in the proceedings of Misc. Civil Appeal No.30 of 1998. That vide impugned order, the lower appellate Court has rejected the appeal of the petitioners with costs and has vacated the interim relief granted.

3. That the petitioners have filed above stated appeal against the order dated 6/6/98 passed by the learned Civil Judge (J.D.), Gandhinagar below Ex.5 in the proceedings of Regular Civil Suit No.227 of 1997. That vide the said order, the trial Court has vacated the interim relief granted in favour of the present petitioners who are the plaintiffs of Regular Civil Suit No.227 of 1997.

4. During the submission no jurisdictional error could be pointed out. That there is a concurrent findings of the fact and both the orders, the order of Trial Court as well as lower Appellate Court disclose that the said orders are passed with cogent and convincing reasons and as such no interference by revisional Court is necessary. Hence, the present Revision Application stands disposed of as rejected summarily. No order as to costs. The trial Court is directed to expedite the proceedings of the Civil Suit.

(A.K.Trivedi,J.)

(vrpanchal)*